

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
CUSTOMER SERVICE CENTER
EXPRESS PERMIT REVIEW AND ONE STOP PERMIT ASSISTANCE AND COORDINATION
APRIL 2008**

This report fulfills the requirements of § 143B-279.12(e) and § 143B-279.13(c) to provide information on environmental permit processing times and report on the progress of the Express Permit Review Program. A breakdown of processing times for FY 2006-07 is provided on the attached charts for Air Quality permits, Coastal Area Management Act major permits, State Stormwater permits, Erosion and Sedimentation Control Plans, Water Quality Wetland 401 Certifications, Water Quality Land Application Non-Discharge Permits and Public Water Supply Plans. It also provides an update on the Express Permit Review Program.

The number of permits issued through the regular review process for these programs is similar to previous years. However there has been a 15 percent growth in the express programs, which reflects its continued popularity. More than 13,700 permits were issued in the seven programs tracked in FY 2006-07. Eighty-four percent of those issued under regular review and 99 percent under express review were issued in less than 90 days. Of the 1,181 express permits issued that year, 82 percent were issued in 30 days or less. The express processing time generally takes 20 to 50 percent of the time of the regular permit review. (See attached chart)

The most complex permits, such as Title V Air Quality permits, consistently require longer review time and sometimes more than 90 days. These are the permits required for major air emission sources. New requirements, industry specific control equipment and review by US EPA are reasons for the longer processing times. All of the 965 air quality permits for small or minor sources were issued in less than 90 days.

Coastal Area Management (CAMA) Act major permits also take more review time-statutorily they can take up to 150 days. The fragile coastal environment, review by a large number of state and federal agencies, and design challenges to ensure environmentally effective projects require a longer review time. The average processing time for major CAMA permits reviewed under the express process was 35 days. The most complex projects are not usually taken into the express program because the target processing time is 30 days.

The most significant increase in processing time between FY 2005-06 and FY 2006-07 was in the Water Quality State Stormwater Program. Last year 83 percent of the state stormwater permits in the regular program were issued within 90 days, compared with 73 percent this year. Under the express state stormwater program 98 percent were issued within 90 days, but only 68 percent were issued within the 30-day target processing time of the express program. An analysis to identify the causes for the delays showed that in the Wilmington Region, the number of applications almost doubled for several months, and experienced staff was not hired quick enough to meet the demand. Incomplete applications, wait time for additional information and inadequate tracking and quality control measures contributed to unacceptable review delays, especially in the express stormwater program. In the Washington Regional Office 30 percent of the applications required at least one additional information submittal, adding an average of 30 days to the processing time. In the Wilmington Regional Office, about 60 percent of the applications required more information and additional review time which added about 28 days to the processing times. Staff turnover in the regular program, new rules and incomplete initial applications in both programs were key factors for delays.

Additional reviewers were added to the express program. Other procedural improvements included: a workload analysis, earlier tracking of submittals to better predict and meet demands and

instituting a number of measures to improve the quality of applications. The changes were made with input from applicants, engineers and DENR staff. We now have more timely reviews and goals are currently being met. New tracking and reporting will allow continued monitoring of this progress.

Based on this data and other permit improvement discussions, the lack of complete well-documented applications is the single biggest factor in a protracted review process. Permit programs were asked for information on the number of applications requiring additional information and the amount of time it added to the review process. While not all programs have been collecting this information, each one stated that a large percentage of applications had to be sent back or put on hold because there was insufficient design or technical documentation to make a permit decision.

Nearly one-half of the express sedimentation and erosion control plans required additional information. Air Quality estimated that more than 20 percent of the small permits and 27 percent of synthetic minor air permits did not provide sufficient application documentation. The delay awaiting this information and additional review necessary added an average 13 to 20 days to the processing time. Information presented earlier shows that time waiting and subsequent reviews added almost a month to the state stormwater application processing time.

It is extremely important to improve the overall quality of initial permit applications. In the express program, additional fees are being charged for re-submittal, as allowed by the statute. In the Wilmington region, the express staff invites consultants to meet with permitting staff, ask questions and discuss frequent mistakes in a monthly open-discussion forum. The Water Quality staff has scheduled a number of training sessions for staff, local governments and consultants on how to meet the state stormwater requirements. The Division of Air Quality has posted on its website tips on improving the quality of its Title V applications.

Hiring and retaining experienced permit reviewers continues to be an obstacle to meeting permit processing goals and deadlines. Growth and new development in the state continue to put pressure on the environment and environmental permitting. Coastal, land application and state stormwater permits require increasingly complex designs which often must be re-designed to meet environmental requirements.

The One-Stop Permit Assistance and Coordination program provides permit information and develops guidance materials for small businesses and non-express clients. Its staff also facilitates express review. Throughout the state, coordinators help businesses identify environmental permits that may be needed for proposed projects and work with program staff to see that all requirements are clearly communicated early in the planning process. Nearly 200 permit lists were generated for companies looking to start or expand a business in North Carolina in FY 2006-07 and about 50 face-to-face meetings were held to provide site-specific guidance. Examples of companies that benefitted from this customized assistance included alternative energy businesses (bio-diesel, ethanol and wind-power prospective companies), a Business Park and distribution center, wineries, and manufacturing and recycling businesses.

The department will seek ways to improve the permitting process and increase public awareness of environmental requirements as growth impacts the state's natural resources. Expanding permit guidance materials, holding additional permit training programs, and providing more timely information on new rules or application requirements are planned for the coming year. Our goal is to expand express review to other permit programs.